

Wetlands Bureau Decision Report

Decisions Taken
05/09/2005 to 05/15/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2000-00386 **ISLEY, HAROLD AND KRISTEN**
TUFTONBORO **Lake Winnepesaukee**

Requested Action:

Request to retain as built dimensions of the docking facility and relocate the proposed perched beach from the west side of boathouse to the east side of the boathouse.

Conservation Commission/Staff Comments:

No final comment received from CC

APPROVE AMENDMENT:

Amend permit to read: Fill 688 sq ft to construct 39 linear feet of breakwater with an 8 ft gap at the shoreline and a 4 ft x 31.5 ft cantilevered pier. Dredge 19.5 cu yd from 350 sq ft of lakebed and excavate 180 sq ft along 43 linear feet of bank to construct a 36 ft x 36 ft boathouse providing 2 interior slips. Dredge 0.9 cu yd from 24 sq ft of lakebed and excavate 88 sq ft from 22 linear feet of bank to construct a 22 ft x 20 ft perched beach surrounded by a 12 in wide retaining wall with 4 ft wide steps to the water on an average of 220 feet of frontage in Twenty Mile Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated January 1, 2005, as received by the Department on January 12, 2005.
2. The boathouse shall be a single-story structure constructed in accordance with the cross section by Lakeshore Construction dated December 1, 2000, received by the Department on December 4, 2000.
3. No portion of the boathouse may be converted to any use other than the storage of boats or boat accessories.
4. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
5. Dredge material shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
10. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
11. The steps installed for access to the water shall be located completely landward of the normal high water line.
12. No more than 20 cu yd of sand may be used and all sand shall be located above the normal high water line.
13. This permit shall be used only once, and does not allow for annual beach replenishment.
14. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
16. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
17. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
18. No portion of the proposed breakwater, as measured at Elev. 504.32, shall extend more than 40 feet lakeward of the normal high water line.

19. The breakwater shall not exceed 3 feet in height (Elev. 507.32) above the normal high water line(Elev. 504.32).
20. The width as measured at the top of the breakwater (Elev. 504.32) shall not exceed 3 feet.
21. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
22. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
23. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
24. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
25. No portion of the cantilevered pier shall extend more than 30 feet lakeward of the normal high water line (Elev. 504.32).
26. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 220 feet of frontage along Lake Winnepesaukee in Twentymile Bay.
4. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Wt 402.14.
6. Field inspection on July 24, 2000, found no evidence of sand migration along this shoreline.
7. Public hearing is waived based on field inspection by NH DES staff with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
8. The proposed modifications meet the requirements of Chapter Wt 400, Shoreline Structures.

Requested Action:

Request for name change from Charles Train Trust to Harold Isley.

APPROVE NAME CHANGE:

Change name on permit for construction of breakwater, pier, boathouse, and perched beach from Charles Train Trust to Harold Isley, PO Box 50, Melvin Village NH 03850.

-Send to Governor and Executive Council-

2002-02600 PORTSMOUTH, CITY OF
PORTSMOUTH Portsmouth Harbor/piscataqua River

Requested Action:

Excavate, regrade or otherwise alter terrain within 47,824 sq. ft. of previously impacted upland tidal buffer zone for work associated with the reconstruction of 1/4 mile of New Castle Avenue, including 1,100 linear feet of deteriorated granite block and stone seawall, on the existing alignment.

In addition, 19,825 sq. ft. of tidal wetlands (fringe salt marsh) will be temporarily impacted for removal and stockpiling during construction and restoration thereafter.

Conservation Commission/Staff Comments:

The Portsmouth Conservation Commission recommends approval of the project.

Inspection Date: 04/06/2005 by Frank D Richardson

APPROVE PERMIT:

Excavate, regrade or otherwise alter terrain within 47,824 sq. ft. of previously impacted upland tidal buffer zone for work associated with the reconstruction of 1/4 mile of New Castle Avenue, including 1,100 linear feet of deteriorated granite block and stone seawall, on the existing alignment.

In addition, 19,825 sq. ft. of tidal wetlands (fringe salt marsh) will be temporarily impacted for removal and stockpiling during construction and restoration thereafter.

With Conditions:

1. All work shall be in accordance with plans prepared by Normandeau Associates, Inc. on baseplan by Fay, Spofford & Thorndike, LLC dated 9/12/02, as received by the Department on December 03, 2002 and revised plans prepared by Normandeau Associates, Inc. and Fay, Spofford & Thorndike, LLC including 'Construction Sequencing for Salt Marsh Impact Areas' and '[Salt Marsh] Peat Stockpile Location Evaluation' received by the Wetlands Bureau on January 10, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. NH DES Coastal Region Staff shall be notified in writing prior to commencement of work and upon its completion.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. The appearance of the historic granite block and stone seawall will be reestablished via modern construction technology to maintain the aesthetic quality of the existing wall.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with the NH DES Coastal Region Staff at the project site or at the DES Pease Field Office in Portsmouth, N.H. to review the conditions of this wetlands permit and especially the construction sequencing for the temporary impacts associated with the removal, stockpiling and restoration of the salt marsh. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Wetland replication/restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
9. Work on the salt marsh shall occur during the months of August through the following April. No work on the marsh shall occur after April 30 unless a waiver of this condition is issued from the DES Wetlands Bureau.
10. NH DES Coastal Restoration Staff shall be notified in writing prior to commencement of work and upon completion of restoration activities.
11. Construction equipment shall have specialized low ground pressure tracks, which impact less than four (4) pounds per square inch when loaded, or the permittee shall utilize timber or plywood mats beneath machines when driving over wetland areas.
12. Timber or plywood mats shall be utilized in all areas of the marsh where construction equipment is required to travel or turn multiple times over the same area.
13. All weight distribution mats shall be removed from the marsh within a minimum practicable time period.
14. Temporary salt marsh peat/ vegetation stockpiling areas and the distribution of stockpiled materials within these areas shall be coordinated with the DES Coastal Restoration Staff, the wetlands scientist for the project and the salt marsh restoration contractor.
15. The salt marsh restoration area shall be regraded to original contours in sequence with the restoration plan immediately following completion of the roadway and seawall reconstruction unless authorized otherwise by the Wetlands Bureau.
16. Pre- and post-restoration monitoring shall be completed through the protocols set forth by the "Global Program of Action Coalition for the Gulf of Maine" (GPAC) and the "Monitoring Requirements for Salt Marsh Restoration Projects," NH Coastal Program, September 1998.
17. The permittee shall submit annual monitoring reports for a period of five years following implementation of the salt marsh removal, stockpiling and restoration on or before December 1st of each year to the DES Wetlands Bureau according to the specifications stated in the above-listed protocols.
18. These reports shall include photographs from established photo locations to document all phases of the project and especially during the five year monitoring period following the reestablishment/ restoration of the salt marsh.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a)&(b)to: Excavate, regrade or otherwise alter terrain within 47,824 sq. ft. of previously impacted upland tidal buffer zone for work associated with the reconstruction of 1/4 mile of New Castle Avenue, including 1,100 linear feet of deteriorated granite block and stone seawall, on the existing alignment.
In addition, 19,825 sq. ft. of tidal wetlands (fringe salt marsh) will be temporarily impacted for removal and stockpiling during construction and restoration thereafter.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 06, 2005. Field inspection determined the project is required for the reconstruction of this deteriorated roadway and seawall and is in the interest of public safety.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.

2004-01776 STICKNEY, ROBERT
DOVER Little Bay

Requested Action:

Construct a 6'x20' permanent fixed pier with a 3'x30' seasonal ramp to a 10' x 20' seasonal float providing two 10' slips on 50' of frontage on Little Bay.

Conservation Commission/Staff Comments:

The Dover Conservation Commission intervened on the application. No further comments were received.

Inspection Date: 04/05/2005 by Eben M Lewis

APPROVE PERMIT:

Construct a 6'x20' permanent fixed pier with a 3'x30' seasonal ramp to a 10' x 20' seasonal float providing two 10' slips on 50' of frontage on Little Bay.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 6/28/04, as received by the Department on 7/29/04.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Work shall be done during low tide.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. The decking of the fixed pier shall have a minimum of 6 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks and the 3-foot ramp shall have a minimum of 3 ft. clearance from the surface of the tidal marsh.
9. The float of this structure shall be constructed with rails to prevent it from sitting directly on the mud at low tide.
10. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
11. Seasonal docking structures shall be removed for the non-boating season.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a) to: Construct a 6'x20' permanent fixed pier with a 3'x30' seasonal ramp to a 10' x 20' seasonal float providing two 10' slips on 50' of frontage on Little Bay.
2. Public hearing is waived based on DES staff field inspection on 04/05/2005, with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem and that the proposed dock will not impede navigation.
3. NH Natural Heritage Bureau (NHNHB) has identified one state listed threatened species within the vicinity of the project, Small Spike-rush (*Eleocharis parvula*). DES review of this application and field inspection finds that the NHNHB identified species will

not be impacted as a result of this project.

4. This dock is consistent with other tidal dock approvals in the seacoast.

5. The NH PDA Division of Ports and Harbors, per letter dated July 29, 2004, reports that this project will have no impact on navigation in the area.

6. In accordance with Rule Wt 304.04, the applicant received written consent for work within 20-feet of the property line from the abutter identified as Janice F. Middleton (Dover Tax Map 7 Lot 6).

6. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

-Send to Governor and Executive Council-

2004-02195 NH DEPT OF TRANSPORTATION
NEWINGTON Piscataqua River

Requested Action:

Request to amend the permit to include an additional 19,901 sq. ft. of temporary impacts for the relocation of a portion of the high-pressure gas transition line along the westerly side of the turnpike.

Conservation Commission/Staff Comments:

no comments received

Inspection Date: 10/07/2003 by Gino E Infascelli

Inspection Date: 08/05/2004 by Gino E Infascelli

APPROVE AMENDMENT:

Reconstruct and improve the Spaulding Turnpike (exits 4 and 4N), Shattuck Way and Nimble Hill Rd. as an interim safety improvement project and relocate a portion of the high-pressure gas transition line impacting 89,638 sq. ft. of the Tidal Buffer Zone and estuarine, palustrine, and riverine wetlands (31,240 sq. ft. temporary). NHDOT project #11238-C.

With Conditions:

1. All work shall be in accordance with:

a. Plans by NHDOT Bureau of Highway Design dated 5/12/04, 5/25/04 and 6/07/04, as received by the Department on September 10, 2004 and per amended sheet 4 of 10 and sheet X of 10 titled "clear-median", both dated 02/02/2005 and received on February 23, 2005.

b. Plans by Northern Ecological Assoc., Inc. dated 4/5/05 and the Wetland Impact Plan summary dated 4/28/05, both as received by the Department on April 29, 2005.

2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.

3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.

5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

6. Temporary cofferdams shall be entirely removed immediately following construction.

7. Construction equipment shall not be located within surface waters.

8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
17. Mitigation for this project shall be provided in the future as part of the anticipated improvements for the NHDOT project #11238.
18. Closed drainage systems, installed as part of the project to collect stormwater runoff, will be designed to provide treatment prior to discharging into Little Bay.
19. Orange construction fencing shall be placed at the limits of clearing for impact areas III, JJJ and KKK (amendment #1 received 2/23/05) after the edge of wetlands have been clearly flagged and prior to construction to prevent accidental encroachment on wetlands.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(b and c), projects within 100 feet of the highest observable tide line and alteration of more than 20,000 sq. ft. of nontidal wetlands and surface waters.
2. The amendment includes additional impacts of 19,901 sq. ft., which will be temporary disturbances.

2004-02612 TEN STATE STREET LLC, MARK STEBBINS
PORTSMOUTH Piscataqua River

Requested Action:

Implement construction totaling 19,182 sq. ft. within DES Wetlands Bureau jurisdiction in the previously developed tidal buffer zone and in, over and adjacent to tidal waters for work associated with the redevelopment of the waterfront property formerly known as the Pier II restaurant on the Piscataqua River to construct four (4) condominium units with an associated driveway, garage and storage space. Existing decks, floating docks and riprap bank stabilization material will be repaired and/or replaced within the existing site dimensions.

Conservation Commission/Staff Comments:

The Portsmouth Conservation Commission recommends denial of the project. (See report dated November 18, 2004)

Inspection Date: 01/18/2005 by Frank D Richardson

Inspection Date: 03/17/2005 by Frank D Richardson

APPROVE PERMIT:

Implement construction totaling 19,182 sq. ft. within DES Wetlands Bureau jurisdiction in the previously developed tidal buffer zone and in, over and adjacent to tidal waters for work associated with the redevelopment of the waterfront property formerly known as the Pier II restaurant on the Piscataqua River to construct four (4) condominium units with an associated driveway, garage and storage space. Existing decks, floating docks and riprap bank stabilization material will be repaired and/or replaced within the existing site dimensions.

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc. dated September 17, 2004, as received by the Department on October 25, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Demolition work shall be done during low tide periods with a containment boom deployed in the Piscataqua River around the waterfront portion of the site to capture any debris and, in addition, a manned vessel shall be stationed at the site to maintain the boom and to monitor demolition and construction activities throughout the duration of the project.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a)&(b) to: Implement construction totaling 19,182 sq. ft. within DES Wetlands Bureau jurisdiction in the previously developed tidal buffer zone and in, over and adjacent to tidal waters for work associated with the redevelopment of the waterfront property formerly known as the Pier II restaurant on the Piscataqua River to construct four (4) condominium units with an associated driveway, garage and storage space. Existing decks, floating docks and riprap bank stabilization material will be repaired and/or replaced within the existing site dimensions.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Coastal Region staff conducted a field inspection of the proposed project on January 18, 2005 and March 17, 2005. Field inspections determined the project as proposed is reasonable and does not propose any construction activities or environmental impacts that would compromise the ecological integrity of this waterfront location or the water quality of the Piscataqua River.
6. A public hearing was held January 19, 2005. Issues brought forth at the public hearing are addressed in the following statements and findings.
7. Issues brought forth by the City of Portsmouth concerning the impact of the project on "meaningful public access" have been duly considered in the review of this application and are found to provide no substantive evidence that this project will significantly impede public access to the Piscataqua River waterfront in the immediate environs.
8. On September 28, 2004 DES Coastal Staff Frank D. Richardson attended a meeting with representatives of the City of Portsmouth Planning Department and others at which time the most recent proposal for the Piscataqua Riverwalk Project was discussed. This project consists of a 400 foot long waterfront walkway, which will extend along the commercial portion of the Bow Street Waterfront, varying in width from 12 to 20 feet. This project will be coordinated with improvements to Ceres Street. No portion of this proposed project has any direct relationship to or impact upon the subject location of the Ten State Street, LLC proposal.
9. The Ten State Street, LLC project to reconstruct the former Pier II restaurant site to four (4) residential condominium units will not decrease public access and/or water views to the Piscataqua River. Directly adjacent to the subject property is Prescott Park which is a public park and provides considerably more public access frontage than the former Pier II restaurant afforded its patrons.
10. The Joseph G. Sawtell Pier, located to the south and immediately adjacent to the Ten State Street, LLC property, in Prescott Park, provides public access and offers panoramic views of the Piscataqua River and the environs of the Portsmouth waterfront.
11. A public docking facility is located in Prescott Park where 16 to 22 (depending on the length of the vessels) transient and short-term stay boat slips are available to the public. This facility is managed by the Park and the City of Portsmouth.
12. The Ten State Street, LLC is bordered to the north by the NH DOT Memorial Bridge over the Piscataqua River.
13. Just northerly of the Memorial Bridge is Harbor Place, a residential development. It was noted by attendees at the January 18, 2005 site walk held prior to the public hearing, that the Harbor Place pier was gated and "NO TRESPASSING" signs prominently displayed at this location.
14. On March 17, 2005 DES Coastal Region staff Frank D. Richardson performed a field inspection of the site at low tide with Peter L. Britz, Environmental Planner for the City of Portsmouth and Lawrence E. Morse, CSS, CWS, President, NH Soil Consultants, Inc. to determine the NH DES Wetlands Bureau delineation of the Highest Observable Tide Line relative to jurisdictional areas

associated with the Piscataqua River and the Tidal Buffer Zone.

15. The record contains letters challenging the waivers granted under RSA 482-A:26,III(b) and RSA 483-B:11(II) as issued by the Commissioner of the Department of Environmental Services by concerned parties Martha Fuller Clark, Senator - District 24 (rec'd January 19, 2005); Judith Spang, Representative - Strafford County, District 72 (rec'd January 19, 2005); and Assistant City Attorney, Suzanne M. Woodland, City of Portsmouth (rec'd December 23, 2004). The DES has provided individual responses to these parties corroborating the validity of these waivers.

16. Issues brought forth by Counsel for Sophia Collier and Katherine Reynolds, who own property situated adjacent to the Ten State Street, LLC property, as an Objection to Permit Application, have been duly considered in the review of this application and are found to provide no substantive evidence that this project would be deleterious to the current use of their property or to "historical resources" in the area.

17. Send to the Governor and Executive Council for approval.

-Send to Governor and Executive Council-

2004-03062 HANNA, GHASSAN
SALEM Captain Pond Brook

Requested Action:

Develop a single family building lot adjacent to Salem Prime Wetland 9, including the dredge and fill of 120 square feet for installation of two 12-inch x 20 foot culverts for access adjacent to the prime wetland.

Conservation Commission/Staff Comments:

The conservation commission recommended approval of the proposed application.

APPROVE PERMIT:

Develop a single family building lot adjacent to Salem Prime Wetland 9, including the dredge and fill of 120 square feet for installation of two 12-inch x 20 foot culverts for access adjacent to the prime wetland.

With Conditions:

1. All work shall be in accordance with plans by Findeisen Survey and Design Inc dated December 21, 2004, and revised through March 3, 2005, as received by the Department on March 14, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Prior to the commencement of construction the boundaries of the wetland buffer shall be clearly marked with orange construction fencing, and shall be remain marked until construction is complete and the area is fully stabilized.
5. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
6. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
7. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
8. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
9. The deed for Tax Map 50, lot 6695 shall include the conditions of this permit.
10. Work shall be conducted during low water conditions.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual

(January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).be properly rip rapped.

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
6. The Town of Salem has accepted the new prime wetland line per the correspondence from the Rockingham County Conservation District dated February 4, 2005.
7. The erosion controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
8. The approved plans and conditions of the permit provide for a conservation easement buffer around the Prime Wetland area.
9. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
10. Based on the inspection conducted on November 5, 2003, by DES Wetland Staff, the project involves minor environmental impacts.
11. This is a previously approved subdivision lot under Chapter Env-Ws 1000.
12. The conservation commission recommended approval of the proposed application.
13. Based on findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 28 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2004-03063 FOLSOM, ROBERT
GILFORD Lake Winnepesaukee

Requested Action:

Permanently remove an existing 6 ft by 32 ft piling supported dock, construct two 6 ft by 40 ft seasonal docks connected by a 6 ft by 12 ft seasonal walkway on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com has no objections

Inspection Date: 05/05/2005 by Dale R Keirstead

APPROVE PERMIT:

Permanently remove an existing 6 ft by 32 ft piling supported dock, construct two 6 ft by 40 ft seasonal docks connected by a 6 ft by 12 ft seasonal walkway on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 29, 2004, as received by the

Department on December 27, 2004.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. The existing permanent dock shall be completely removed from jurisdiction prior to the construction of the seasonal dock.
6. Seasonal piers shall be removed from the lake for the non-boating season.
7. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
8. This permit does not allow for the removing of any stumps for the construction of the docks.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility.
2. The applicant has 5875 feet of frontage along the shoreline of Round Island on Lake Winnepesaukee.
3. There are currently 15 slips located on 6 different locations on the 5875 ft of frontage.
4. The proposed docking structure will add one more slip to the frontage for a total of 16 slips on the frontage.
5. Public hearing is waived based on field inspection, by NH DES staff, on May 5, 2005, with the finding that the project impact will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2005-00118 LOON MTN RECREATION CORP
LINCOLN East Branch Pemigewasset River

Requested Action:

Dredge and fill 16,275 square feet of wetlands and 16,755 square feet of perennial and intermittent streams (impacting 3,360 linear feet within the bed and banks) to construct a ski lift to service South Mountain, a base lodge with associated parking, 5 ski trails, and to construct a subdivision road to access a 67-lot single family residential subdivision. Mitigate impacts by placing a conservation easement on 7.6 acres of land within the same watershed.

Inspection Date: 08/17/2001 by Craig D Rennie

APPROVE PERMIT:

Dredge and fill 16,275 square feet of wetlands and 16,755 square feet of perennial and intermittent streams (impacting 3,360 linear feet within the bed and banks) to construct a ski lift to service South Mountain, a base lodge with associated parking, 5 ski trails, and to construct a subdivision road to access a 67-lot single family residential subdivision. Mitigate impacts by placing a conservation easement on 7.6 acres of land within the same watershed.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated January 2005, as received by the Department on January 14, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the residential subdivision area.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit

and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work shall be done during low flow.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

MITIGATION CONDITIONS:

18. This permit is contingent upon the execution of a conservation easement on 7.6 acres of undeveloped land as depicted on plans received March 28, 2005.
19. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
20. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
21. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
22. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Wt 303.02(i), as impacts are greater than 200 linear feet within perennial and intermittent streams.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed mitigation plan to preserve 7.6 acres of land meets the ratios and requirements listed in Wt 800 for Compensatory Mitigation.
6. A full Environmental Impact Statement (EIS) was completed in 2002 for the development and expansion of Loon Mountain ski resort into the White Mountain National Forest. On February 26, 2002, the USDA Forest Service released a Record of Decision (ROD) for the EIS, which documents their recommendation to implement Alternative B for the proposed development.
7. The impacts associated with this phase of development meet the recommendations listed under Alternative B of the EIS.
8. DES Staff inspected the site on August 17, 2001 and reviewed wetland impact areas associated with this phase of the proposed

development.

9. Because of past public concerns with the development of South Mountain, a public hearing was held at DES on January 23, 2002 for the first phase of this development under Wetlands Bureau file #2001-0146.

10. Overall, DES finds that the project as proposed will not significantly impact the areas and environments under the department's jurisdiction; therefore, an additional public hearing will not be required.

MINOR IMPACT PROJECT

2000-01478 VERRES FINANCIAL CORPORATION
CONCORD Unnamed Wetland Ash Brook

Requested Action:

Approve name change to Benjamin & Kimberly Brayshaw, 214 Horne Rd., Warner NH 03278. Lot #3 only, per request received 4/20/2005

Conservation Commission/Staff Comments:

Concord Conservation Commission has reviewed the project and has no objection to [the issuance of] the permit.

APPROVE NAME CHANGE:

Dredge and fill 144 square feet including installation of a 18-inch x 27 foot culvert for driveway access on lot 3 within Shenandoah Estates.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering dated May 4, 2005, as received by the Department on May 9, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Proper headwalls shall be installed.
7. Culvert outlets shall be properly rip rapped.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2000-01724 DORSI, JOHN
MEREDITH Lake Winnepesaukee

Requested Action:

Amend permit to reflect as-built dimensions.

APPROVE AMENDMENT:

Amend permit to read: Install 2 steel pilings and suspend a 4 ft x 11.5 ft x 1.5 ft counter weight, beneath the deck surface, to support boatlift and dredge 3.5 cu yd of rock from lakebed adjacent to a 6 ft x 39 ft seasonal pier hinged to a 12 ft x 15 ft deck supported by an 8 ft x 8 ft crib on 89 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All rock removal shall be in accordance with plans submitted by Bianco Professional Association as received by the Department on July 6, 2001. The counterweight shall be installed in accordance with plans by Watermark Marine Construction dated September 6, 2003, as received by the Department on July 19, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. All portions of the 6 ft x 39 ft seasonal pier and boat lift, with the exception of the steel pilings, shall be removed from the lake for the non-boating season.
5. Rocks removed from the lake bed shall be placed out of areas within the jurisdiction of the DES Wetlands Bureau, or in the lake with at least 10 feet of water depth over the rocks, unless another use is specifically permitted.
6. Rocks shall not be stockpiled in jurisdiction.
7. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not constructed as previously permitted.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
11. The steel pilings shall be marked with reflective material to improve visibility during the non-boating season.
12. The seasonal pier will continue to be maintained at the originally permitted 34 ft length.
13. No portion of the counterweight shall be located below Elev. 504.32.

With Findings:

1. This project is classified as a minor project per Rule Wt 303.03(d), modification of a 2-slip docking facility which is, in part, permanent.

2001-00441 CASELLA, RICHARD
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Place rip-rap along 22 linear ft of shoreline on 115 feet of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

original complaint received 3/20/01

Con. Com. suggested removal of retaining wall

APPROVE PERMIT:

Place rip-rap along 22 linear ft of shoreline on 115 feet of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, LLC dated July 29, 2002, as received by the Department on February 7, 2005.
2. This permit is contingent completion of the shoreline restoration as approved by the Department on October 27, 2003.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
6. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be done during drawdown.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), alteration of 71 linear feet of shoreline (balance approved under Restoration Approval on October 27, 2003).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00298 LOCHMERE MEADOWS DEVELOPMENT LLC
TILTON Unnamed Wetland

Requested Action:

Dredge and fill 8940 square feet of forested wetland for access in the development of 16.321 acres into senior housing units.

Conservation Commission/Staff Comments:

The conservation commission wishes a wildlife corridor and conservation easement on this property.

APPROVE AMENDMENT:

Dredge and fill 8940 square feet of forested wetland for access in the development of 16.321 acres into senior housing units.

With Conditions:

1. All work shall be in accordance with plans by The HL Turner Group Inc dated January 17, 2005, revised through April 8, 2005, as received by the Department on May 3, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Silt fencing must be removed once the area is stabilized.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

The Department reaffirms findings 1-6 of the original approval dated June 8, 2004, and makes the additional findings:

7. The new culvers as illustrated on the plan are needed to assure free flow of hydrology and that there is no detention or flooding within or upstream of the wetland system.

2004-01764 SABA, GLEN
LACONIA Lake Winnepesaukee

Requested Action:

Install a 4 ft x 100 ft seasonal pier and install a seasonal boatlift with a 12 ft x 24 ft seasonal canopy on on 78.5 ft of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

No Con Com signature

APPROVE PERMIT:

Install a 4 ft x 100 ft seasonal pier and install a seasonal boatlift with a 12 ft x 24 ft seasonal canopy on on 78.5 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Glenn Saba, as received by the Department on May 5, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal structures shall be removed from the lake for 5 months during the non-boating season.
5. No portion of the pier shall extend more than 100 feet from the shoreline at full lake elevation.
6. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a 2 slip seasonal docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. There is no evidence that the proposed structure will have an unreasonable impact on the aesthetic interests of abutting property

owners.

6. The proposed pier will not present a hazard to navigation.

2004-03083 HILTZ CONSTRUCTION INC
PLYMOUTH Unnamed Wetland

Requested Action:

Dredge and fill 8680 square feet of forested wetlands and 147 linear feet of stream to provide access for 25 single family house lots in the subdivision of 48.993 acres.

APPROVE PERMIT:

Dredge and fill 8680 square feet of forested wetlands and 147 linear feet of stream to provide access for 25 single family house lots in the subdivision of 48.993 acres.

With Conditions:

1. All work shall be in accordance with plans by TAW Associates,
 - a) Plan Sheets PPO1 and CPT01 dated January 22, 2004, and revised through May 9, 2005, as received by the Department on May 9, 2005.
 - b) Plan Sheet DFO1 dated January 22, 2004, as received by the Department April 8, 2005.
 - c) Plan Sheets PPO2, PPO3, PPO4, PPO5, ECO1, ECO2, and ECO3 dated January 22, 2004, as received by the Department on February 25, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
9. Work shall be done during low flow.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Prior to the clearing the permittee shall install orange construction fencing to define the natural upland buffer zone around the vernal pool.
12. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in

New Hampshire (August, 1992).

18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

21. Silt fencing must be removed once the area is stabilized.

22. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Upland preservation:

23. This permit is contingent upon the execution of a deed restriction 100 feet around the perimeter of the vernal pool as depicted on plans received April 11, 2005.

24. The conservation deed restriction shall be incorporated into the Warrantee Deed of subdivision lots 4 and 5. The preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

25. The plan noting the conservation deed restriction with a copy of the final Warrantee deed language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau within 10 days of sale of the lot.

26. Fence posts and signs shall be placed every 75 feet along the perimeter of the natural buffer prior to construction.

27. A 100 foot split rail fence shall be installed along the south eastern side of the pond adjacent to the roadway with a minimum 8-inch clearance to allow for turtle passage.

28. There shall be no removal of the existing vegetative undergrowth within the deed restriction area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

29. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h); Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The applicant is required to construct a through road as part of the Subdivision Requirements of the Town of Plymouth.

3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

4. The applicant has attempted to cross wetlands in the narrowest locations and higher in the watershed.

5. The applicant has attempted to avoid all impacts to the vernal pool located on this site.

6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

8. The applicant has address the concerns raised by the NH Fish and Game Department regarding the species of concern Wood Turtle.

9. The applicant has provided a 100 foot buffer from the edge of the vernal pool on lots 4 and 5 to protect the food source for the wood turtle.

10. Wetland impact 1 is within 20 feet of abutting properties owned by Plymouth Methodist Church and James and Barbara Logan.

11. In accordance with Wt 304.04, the applicant has provided letters of permission for work within 20 feet of the abutting property lines.

12. The Plymouth Conservation Commission did not comment on this application.

13. The Pemigewassett Local Advisory Committee did not comment on this application.

Requested Action:

Construct a 20 ft x 20 ft perched beach with 4 ft wide lake access steps on 108 ft of frontage on Lake Ossipee.

APPROVE PERMIT:

Construct a 20 ft x 20 ft perched beach with 4 ft wide lake access steps on 108 ft of frontage on Lake Ossipee.

With Conditions:

1. All work shall be in accordance with plans by David Goolgasian dated May 9, 2005 and drawn to scale plans by White Mountain Survey dated December 20, 2004, as received by the Department on January 19, 2005.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Excavated material for the construction of the perched beach shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. No more than 20 cu yd of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. Please note that fill for the implementation of a future vegetation plan shall not impact the bank and proper geo-textile filter fabric shall be installed to prevent erosion.
11. Existing boulders identified on photos received May 9, 2005, shall be removed and utilized for perched beach construction or placed completely out of NHDES jurisdiction. Please note that the natural bank and rock shall remain and any further bank or shoreline alterations shall require a Standard Dredge and Fill Permit.
12. Lake access steps and walkways shall not exceed 6 ft in width.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f), construction of a beach that with the use of more than 10 cubic yards of sand, but not more than 20 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00320 CAVALIERS COVE, CHRISTINA MANISCALCO
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace two existing fender pilings with two ice clusters adjacent to a major docking facility on 100 ft of frontage on Lake Winnepesaukee.

APPROVE PERMIT:

Replace two existing fender pilings with two ice clusters adjacent to a major docking facility on 100 ft of frontage on Lake

Winnepesaukee.

With Conditions:

1. All work shall be in accordance with ice cluster plans by Winnepesaukee Marine Construction as received by the Department on February 16, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Where appropriate, turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), Installation of new ice clusters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00449 MONTGOMERY, GORDON
MOULTONBOROUGH Squam Lake

Requested Action:

Maintain existing 28 ft x 11 ft beach by removing 9 rocks from beach and replenishing beach and restore disturbed area with no more than 10 cu yd of sand above normal high water on 230 ft of frontage on Squam Lake.

APPROVE PERMIT:

Restore existing 28 ft x 11 ft beach by removing 9 rocks from beach and replenishing beach and restore disturbed area with no more than 10 cu yd of sand above normal high water on 230 ft of frontage on Squam Lake.

With Conditions:

1. All work shall be in accordance with plans by Gordon Montgomerly dated April 18, 2005, as received by the Department on April 23, 2005.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. Unnecessary removal of vegetation for beach modification is prohibited.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Rocks to be removed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is specifically permitted.
9. No rocks shall be dredged or deposited within 20 feet of an abutting property line.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f), construction of or replenishment of a beach that does not exceed the criteria in Wt 303.04 (d) or the criteria in Wt 303.04(aa).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00610 RICH, DAVID, ARTHUR RICH JR
MEREDITH Lake Winnepesaukee

Requested Action:

Remove existing 4 ft x 40 ft pier and 4 ft x 8 ft supporting crib and install a 6 ft x 40 ft seasonal dock attached to a 4 ft x 6 ft concrete anchoring pad and remove two submerged navigational hazard rocks totalling 79 cu ft on 132 ft of frontage on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing 4 ft x 40 ft pier and 4 ft x 8 ft supporting crib and install a 6 ft x 40 ft seasonal dock attached to a 4 ft x 6 ft concrete anchoring pad and remove two submerged navigational hazard rocks on 132 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Mason Marine Construction dated March 18, 2005 as received by the Department on April 4, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Concrete anchoring pad shall be completely landward of the normal high water mark.
5. Seasonal pier shall be removed from the lake for 5 months during the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Unnecessary removal of vegetation shall be prohibited.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03 (d)(3) modification of any docking system that exceeds the design and construction criteria discussed at Wt 402.01 for minimum impact docks classified under Wt 303.04
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2005-00391 DAIGLE, JOHN
SANBORNTON Lake Winnisquam

Requested Action:

Permanently remove an 208 sqft seasonal dock and construct a 6 ft by 40 ft seasonal dock attached to the existing concrete pad, install the existing seasonal boatlift in the northern slip, on 75 ft of frontage on Lake Winnisquam, Sanbornton.

Conservation Commission/Staff Comments:

No Con Com comments by 05/12/05.

APPROVE PERMIT:

Permanently remove an 208 sqft seasonal dock and construct a 6 ft by 40 ft seasonal dock attached to the existing concrete pad, install the existing seasonal boatlift in the northern slip, on 75 ft of frontage on Lake Winnisquam, Sanbornton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 17, 2005, as received by the Department on February 28, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. The seasonal boatlift shall be removed from the lake for the non-boating season.
7. This permit does not allow for any repairs to the concrete pad.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

2005-00636 CRONIN, JOHN
NEW DURHAM Merrymeeting Lake

Requested Action:

Permanently remove an existing floating dock, install a seasonal 4 ft by 24 ft dock on 27 ft of frontage on Merrymeeting Lake, New Durham.

Conservation Commission/Staff Comments:

No Con Com comments by 05/06/05

APPROVE PERMIT:

Permanently remove an existing floating dock, install a seasonal 4 ft by 24 ft dock on 27 ft of frontage on Merrymeeting Lake, New Durham.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on April 6, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the

registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Construction debris and material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

FORESTRY NOTIFICATION

2005-00700 GILMORE, HAROLD & CINDI
BARTLETT Unnamed Stream

2005-00892 ROCHE, KEVIN
ANTRIM Unnamed Stream

COMPLETE NOTIFICATION:
Antrim Tax Map 5, Lot# 80 & 81

2005-00893 H&H INVESTMENTS LLC
CHESTERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Chesterfield Tax Map 24, Lot# D1

2005-00894 BOLTON, FRANK
WEARE Unnamed Stream

COMPLETE NOTIFICATION:
Weare Tax map 203, Lot# 105

2005-00895 BLUE HILLS FOUNDATION INC, GEORGE M LOVEJOY JR.
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 9, Lot# 47

2005-00897 CHOCORUA FORESTLANDS

BATH Unnamed Stream

COMPLETE NOTIFICATION:
Bath Tax Map 3, Lot# 19 & 118

2005-00898 CHOCORUA FORESTLANDS

LANDAFF Unnamed Stream

COMPLETE NOTIFICATION:
Landaff Tax Map 7, Lot# 18

2005-00907 SIEMON FAMILY CHARTITABLE TRUST, CARL

MILTON Unnamed Stream

COMPLETE NOTIFICATION:
Milton Tax Map 2, Lot# 15

2005-00908 BARTLETT, BREWSTER

CHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Chester Tax Map 12, Lot# 20

2005-00911 BOYLE, JOHN & KORENA

LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Lyndeboro Tax Map 11, Lot# 25

2005-00925 SACHS, KENNETH R

NOTTINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Nottingham Tax Map 71, Lot# 150

2005-00926 COLBY, JAMES & LYNN

BOSCAWEN Unnamed Stream

COMPLETE NOTIFICATION:
Boscawen Tax Map 47, Lot# 10A

2005-00927 COLBY, JAMES

BOSCAWEN Unnamed Stream

COMPLETE NOTIFICATION:
Boscawen Tax Map 47, Lot# 24

2005-00928 AYRES, LAWRENCE
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax Map 258, Lot# 34.2

2005-00929 PORTER, STAN & MAUREEN
NEWPORT Unnamed Stream

COMPLETE NOTIFICATION:
Newport Tax Map 48, Lot# 1653

EXPEDITED MINIMUM

2003-01736 CROWLEY SR, WILLIAM
LOUDON Unnamed Pond

Requested Action:
Temporarily impact 100 square feet along 5 linear feet of the bank of a man made pond for the installation of a dry hydrant.

Conservation Commission/Staff Comments:
The Loudon Conservation Commission signed this minimum impact application.

APPROVE AMENDMENT:
Temporarily impact 100 square feet along 5 linear feet of the bank of a man made pond for the installation of a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by David Krause dated September 30, 2003, and revised through April 8, 2005, as received by the Department on April 11, 2005; and Dry Hydrant Specifications and Cross Section plans by NH RC&D Area Councils received by the Department on April 13, 2005.
2. Work shall be done in the dry.
3. Area shall be regraded to original contours following completion of work.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters,

all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.
2. The applicant has provided a letter from the Deputy Fire Chief stating the dry hydrant is required by the planning board.
3. The applicant has provided a letter of agreement with William Leombrono Sr, Owner of Tax Map 50, lot 4 agreeing to the proposed dry hydrant.

**2004-03013 IVERY, CLAIRE/PATRICK
BARRINGTON**

Requested Action:

Approve name change to: Robert Roy, 255 Beauty Hill Rd., Barrington NH 03825 per request received 5/9/2005.

Conservation Commission/Staff Comments:

The Barrington Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE NAME CHANGE:

Replace a total of 57 linear feet of an existing 12-inch telephone pole retaining wall (29 linear feet and 28 linear feet) with a 12-inch concrete block retaining wall on a single family residential lot on Swains Lake with 124.3 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans received by the Department on December 17, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
4. Work shall be done in the dry.
5. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Repair shall maintain existing size, location and configuration.
7. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.
10. All excavated material and construction related debris shall be placed outside of the DES Wetlands Bureau jurisdiction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2005-00423 THE STABILE COMPANIES
MILFORD Unnamed Wetland**

Requested Action:

Dredge and fill 2096 sq. ft. of wetlands to install a 18" x 30' culvert for a roadway crossing for a 73 unit development on 41.8 acres.

Conservation Commission/Staff Comments:

Conservation Commission signed expedited application.

APPROVE PERMIT:

Dredge and fill 2096 sq. ft. of wetlands to install a 18" x 30' culvert for a roadway crossing for a 73 unit development on 41.8 acres.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc., entitled "Wetland Impact Application, Lot 48-48, Prepared for Stabile Companies", Sheet 1 of 1, dated 2/2/2005; and Sheet SP-2 "Grading Plan" dated 11/24/04, as received by the Department on 3/3/2005.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Culvert outlets shall be properly rip rapped.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project property includes designated conservation easement area that was an element of the resolution of enforcement case file 1996-2279, Hampshire Hills. The applicant has demonstrated compliance with the requirement to execute the conservation easement on the property by submission of a copy of the recorded conservation easement deed and associated plans, as received by DES on 4/12/2005.

2005-00677

SMITH, CAROLYN

HENNIKER Unnamed Wetland

Requested Action:

Impact 797 square feet of palustrine forested wetlands to include the installation of a 27' x 24" culvert to provide access to 3 lots of a proposed 4-Lot subdivision

Conservation Commission/Staff Comments:

Conservation commission signed the expedited application.

APPROVE PERMIT:

Impact 797 square feet of palustrine forested wetlands to include the installation of a 27' x 24" culvert to provide access to 3 lots of a proposed 4-Lot subdivision

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering & Surveying, Inc., subdivision plans dated February 15, 2005 and wetland impact plan details dated April 4, 2005, as received by the Department on April 11, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low flow.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00697 ANTRIM, TOWN OF
ANTRIM Great Brook Pond

Requested Action:

Temporarily impact 8,410 square feet and permanently impact 90 square feet of the banks and bed of Great Brook Pond and Great Brook to repair Great Brook Cutler Shop Dam #009.12 in Antrim

Conservation Commission/Staff Comments:

Conservation commission signed the expedited application.

APPROVE PERMIT:

Temporarily impact 8,410 square feet and permanently impact 90 square feet of the banks and bed of Great Brook Pond and Great Brook to repair Great Brook Cutler Shop Dam #009.12 in Antrim

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants, LLC. dated March 30, 2005, as received by the Department on April 13, 2005.

2. This permit is contingent on approval by the DES Dam Safety Program.
3. The Town shall obtain temporary construction easements or letter of consent from affected landowners outside of the existing right-of-way and shall supply copies of the documents to DES Wetlands File No. 2005-00697 prior to construction.
4. Work shall be done during low flow and/or drawdown.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Area shall be regraded to original contours following completion of work.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The work required is in response to a Letter of Deficiency issued by the NHDES Dam Bureau to the Town of Antrim on May 21, 2002.

**2005-00784 PETERBOROUGH, SELECTMEN OF
PETERBOROUGH Unnamed Stream**

Requested Action:

Temporarily impact 80 square feet of an unnamed stream channel to replace a failing municipal water main

Conservation Commission/Staff Comments:

Conservation commission signed the expedited application.

APPROVE PERMIT:

Temporarily impact 80 square feet of an unnamed stream channel to replace a failing municipal water main

With Conditions:

1. All work shall be in accordance with plans by Edwin Betz, P.E., as received by the Department on April 25, 2005.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. There shall be no excavation or operation of construction equipment in flowing water.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of

low flow.

6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

8. Temporary cofferdams shall be entirely removed immediately following construction.

9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

10. Area shall be regraded to original contours following completion of work.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

GOLD DREDGE

2005-00931 WONDOLOWSKI, DAVID
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2005-00932 LIESENDAHL, GARY
(ALL TOWNS) Unnamed Stream

TRAILS NOTIFICATION

2005-00896 PRATT, JOHN
WALPOLE Unnamed Stream

COMPLETE NOTIFICATION:
Walpole Tax Map 10 & 11, Lot# 32 & 1

2005-00905 HAMMOND, LES
DUNBARTON Unnamed Stream

COMPLETE NOTIFICATION:
Dunbarton Tax Map F3, Lot# 5

2005-00906 BOW CONSERVATION COMMISSION, TOWN OF BOW
BOW Unnamed Stream

COMPLETE NOTIFICATION:
Bow Tax Map/Lot#: 25/138, 29/137, 24/62 & 24/63

2005-00909 DICKENSON, LEO
SUGAR HILL Unnamed Stream

COMPLETE NOTIFICATION:
Sugar Hill Tax Map 217, Lot# 1

2005-00910 CLOUGH, BARBARA
LISBON Unnamed Stream

COMPLETE NOTIFICATION:
Lisbon Tax Map 28, Lot# 4

LAKES-SEASONAL DOCK NOTIF

2005-00930 GOODSPEED, RICHARD
RINDGE Grassy Pond

COMPLETE NOTIFICATION:
Rindge Tax Map 11, Lot# 4-1 Grassy Pond

2005-00951 SCHAEJBE, ROBERT
RINDGE Emerson Pond

COMPLETE NOTIFICATION:
Rindge Tax Map 34, Lot# 27 Emerson Lake

2005-00952 BENTLEY, HARRY
TUFTONBORO Lake Winnepesaukee

COMPLETE NOTIFICATION:
Tuftonboro Tax Map 13, Lot# 1 Lake Winnepesaukee

2005-00953 HUNTINGTON, GEORGE
HILLSBOROUGH Franklin Pierce Lake

COMPLETE NOTIFICATION:

Hillsboro Tax Map 21, Lot# 36 franklin Pierce Lake

2005-00983 MOLONEY, GERARD & MARY ELLEN
MOULTONBOROUGH Lake Winnepesaukee

COMPLETE NOTIFICATION:

Moultonboro Tax Map 31, Lot# 6 & 15 Lake Winnepesaukee

ROADWAY MAINTENANCE NOTIF

2005-00960 ALTON HWY DEPT, TOWN OF ALTON
ALTON Unnamed Wetland

PERMIT BY NOTIFICATION

2005-00873 CHESTERFIELD, TOWN OF
SPOFFORD Spofford Lake

Requested Action:

Replenish a 7500 sq. ft. area of beach, no sand at waters edge. Construct an earthen berm 12.5" wide by 6" high between parking lot and beach to prevent any runoff

Conservation Commission/Staff Comments:

Chesterfield ConCom signed PBN with no comments

PBN IS COMPLETE:

Replenish a 7500 sq. ft. area of beach, no sand at waters edge. Construct an earthen berm 12.5" wide by 6" high between parking lot and beach to prevent any runoff

2005-00899 UNITY, TOWN OF
UNITY Unnamed Stream

Requested Action:

Replace a washed out 16" culvert with two 24" culverts impacting 145 sq. ft. including old culvert and washed out area.

Conservation Commission/Staff Comments:
Unity ConCom signed PBN with no comments

COMPLETE NOTIFICATION:

Replace a washed out 16" culvert with two 24" culverts impacting 145 sq. ft. including old culvert and washed out area.

2005-00921 ROETHER, KERRY
STRAFFORD Unnamed Wetland

Requested Action:

Place a 15"x 26' culvert with headwalls in a 12' wide driveway to a single family home impacting 520 sq. ft. of wetlands

Conservation Commission/Staff Comments:
Strafford Con Com did not sign PBN

PBN IS COMPLETE:

Place a 15"x 26' culvert with headwalls in a 12' wide driveway to a single family home impacting 520 sq. ft. of wetlands

2005-00933 LONG BAY HOMEOWNERS ASSOCIATION, PAUL VISCO
LACONIA Lake Winnepesaukee

Requested Action:

Replace in kind 3 pilings impacting 3 sq. ft. and repair in kind 2 fingers impacting 80 sq. ft.

Conservation Commission/Staff Comments:
ComCom signed PBN with no comments

PBN IS COMPLETE:

Replace in kind 3 pilings impacting 3 sq. ft. and repair in kind 2 fingers impacting 80 sq. ft.